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August 1, 2023

VIA CM/ECF

Hon. Nina R. Morrison, U.S. District Judge
U.S. District Court for the Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Steur v. Glock, Inc., et. al.
Civil Case No.: 1:22-cv-3192

Dear Judge Morrison:

My office represents Plaintiff Ilene Steur. I write with the consent of the parties and the Intervenor to respectfully request an additional six-month stay of this instant action, pending the decision of the United States Court of Appeals for the Second Circuit in *Nat'l Shooting Sports Found., Inc. v. James*, No. 22-1374. In the event that the Court grants this instant request, the parties and Intervenor shall also file a joint status report within seven days of the decision in *Nat'l Shooting Sports Found., Inc. v. James*, No. 22-1374 or by February 7, 2024, whichever is earlier.

By way of background, on August 2, 2022, Magistrate Judge Peggy Kuo held a pre-motion conference in this action at which, inter alia, the parties and the Intervenor requested that this action - including all discovery and Defendant's anticipated motion to dismiss - be stayed pending the decision of the United States Court of Appeals for the Second Circuit in *Nat'l Shooting Sports Found., Inc. v. James*, No. 22-1374. Judge Kuo had recommended to Judge Diane Gujarati that this action be so stayed. The Court adopted the recommendation. Accordingly, on August 5, 2022, Judge Diane Gujarati ordered that this action to be stayed pending the Second Circuit's decision in the aforementioned case. Judge Diane Gujarati also directed the parties to file a joint status report within seven days of the decision or by February 6, 2023, whichever was earlier.

On February 6, 2023, the parties jointly submitted a status report and requested an additional six-month stay, which was granted. Judge Morrison directed the parties to file a joint status report within seven days of the decision or by August 7, 2023, whichever was earlier.

Upon information and belief, the Second Circuit has yet to render a decision in the *Nat'l Shooting Sports Found., Inc. v. James*, No. 22-1374, matter. Moreover, upon information and belief, the Second Circuit has proposed a tentative argument week of October 30, 2023 in the

aforementioned matter. As a decision has yet to be rendered by the Second Circuit, the parties respectfully request an additional six-month stay.

Thank You for Your consideration of this request.

Respectfully submitted,



Mark D. Shirian

Encl.

cc: All attorneys of record (via ECF service)